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OFFICE OF PETITIONS

In re Application of
Patrick W. Fink, et. al.
Application No. 09/867,993
Filed: May 24, 2001
Attorney Docket No. MSC-23228-1

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed November 3, 2003, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed April 25, 2002, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight July 25, 2002.

In response to the non-final Office action, petitioner submitted with the instant petition an authorization to charge \$1,330 for the petition to revive fee, and an amendment.

In view of the above authorization, \$1,330 was charged to petitioner's deposit account.

Since the requirements for a grantable petition have been met, the petition is **GRANTED**

The application file is being forwarded to Technology Center 3600, for further review of the amendment filed with the instant petition.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (703) 308-6711.

Andrea Smith
Petitions Examiner
Office of Petitions
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for Patent Examination Policy